

SAINT JOHN

Oliver St John (Solicitor-General) c1598-1673

(King's Solicitor) 29 Jan 1640.1
(as Solicitor General, J.P., Staffs) 26 Apr 1647*

St John, Oliver (c.1598–1673), lawyer and politician, was the eldest surviving son of Oliver St John (1562/3–1626) of Keysoe, Bedfordshire, and Sarah, daughter of Edward Buckley of Odell in the same county. He was the great-grandson of Oliver St John, first Baron St John of Bletso, but little is known of his parents or childhood.

Education and early career

Oliver matriculated as a pensioner from Queens' College, Cambridge, in Lent 1616 and entered Lincoln's Inn on 22 April 1619. At Queens' he studied with John Preston, a leading puritan, and while he was at Lincoln's Inn, William Prynne was also a student there. He was called to the bar on 22 June 1626 and about 1629 made an advantageous marriage to Joanna (d. in or before 1639), daughter and heir of Sir James Altham of Markshall, Latton, Essex, and his wife, Elizabeth Barrington. Joanna was the niece of Sir Thomas Barrington, and her grandmother Joan, Lady Barrington, was the daughter of Sir Henry Cromwell and aunt both to Oliver Cromwell and John Hampden. The marriage took place despite the misgivings of the bride's family regarding St John's poverty and his prospects.

In 1629 St John was retained as a lawyer by the Russell family, the earls of Bedford. However, in that year he was imprisoned briefly for sending his patron, Bedford, a 'design of sedition'. This was the so-called 'Proposition for his majesty's service to bridle the impertinence of parliaments', an intemperate proposal for the establishment of military government and prerogative rule throughout England, written in 1614 by Sir Robert Dudley in an unscrupulous and rather ill-advised attempt to ingratiate himself with James I, who remained nonplussed. The paper had found its way, however, into the library of Sir Robert Cotton, where it was recognized as potentially devastating ammunition in the paper wars which had ensued with the establishment of new counsels by Charles I. Catching wind of the minor storm about to burst, the king and his principal new counsellor, Viscount Thomas Wentworth, acted swiftly, seeing an opportunity not only to punish their opponents but also to reaffirm their own constitutionalist credentials. Those responsible for circulating the paper found themselves on the receiving end of a state prosecution. The charges were dropped eventually, but not before St John had been brought before Star Chamber and threatened with the rack. Writing many years later, the earl of Clarendon asserted that the episode shaped St John's future attitudes, since 'he never forgave the Court the first assault, and contracted an implacable displeasure against the Church purely from the company he kept' (Clarendon, *Hist. rebellion*, 1.246).

The connection with Bedford led to St John's association with the Providence Island Company. Bedford was the parliamentary patron of John Pym, who engineered St John's entrance into the company in 1630. The company's membership included many of the men, including Pym, Bedford, Rudyard, and Hampden, who opposed or would later oppose aspects of Charles I's policies. By the 1630s St John was also closely connected to Oliver Cromwell. The two had been exact contemporaries at Cambridge and their friendship was strengthened by the role Joan, Lady Barrington, played in arranging both St John's first and second marriages, the second (on 21 January 1639) being to Elizabeth (d. in or before 1645), daughter and coheir of Henry Cromwell, Oliver's second cousin.

The ship money case and the Short Parliament

In the mid-1630s the ship money case brought St John a national reputation. Charles I claimed that in national emergencies he could raise a rate for the navy—ship money—by prerogative action; and that he was the sole judge of what constituted a

national emergency. Charles began collecting the rate in 1634. St John served as legal counsel for Lord Saye and John Hampden in their challenge to the legality of ship money. In June 1637, shortly before the trial commenced, St John's rooms were searched by William Beecher, a clerk of the king's council, with a warrant provided by the king's council. The search was conducted, one contemporary surmised, because of St John's retention as Hampden's lawyer and because 'he had been a diligent searcher of records concerning forest bounds and laws' (Gardiner, Prynne, 77-8).

St John's arguments in the ship money case boiled down to one essential plea, namely that if the king was entitled to lay whatever charge he desired on his subjects, it would come to pass that their property was held entirely at 'the goodness and mercy of the king' (Rushworth, 2.508). Therefore, according to St John, by allowing the king to compel payments towards national defence, ship money threatened the foundation of property itself. In spring 1638 the judges began to return their opinions in the case, with the final tally in June being seven to five in favour of the king, two judges having found for Hampden on technical grounds, even though they upheld the legality of ship money. The most uncompromising decision was returned by Chief Justice John Finch, who denied that any acts of parliament intending to bind the king in any way made any difference.

Many regarded the closeness of the judges' decision as a victory for St John, giving him a new reputation as a spokesman, particularly for those who opposed the legal policies of Charles I. His enhanced stature became evident in the Short Parliament of 1640, in which he represented the Devon borough of Totnes, having almost certainly been elected on the interest of the earl of Bedford. At Westminster he quickly assumed a prominent role and, among other things, attacked those who claimed that Charles's dissolution of parliament in 1629 was legal, argued that no innovations in religion were binding unless they were approved by parliament, and asked on 4 May that the legality of ship money be overturned by a vote of parliament.

St John's separate attempt to have the judgment in Hampden's case overturned by a vote of parliament produced an uproar, since he was asking that parliament overturn a decision already rendered by the courts. The vote on the legality of ship money was never taken, because on 5 May, the day following St John's call for a vote, Charles I dissolved parliament. Clarendon recorded St John's reaction to the dissolution. Encountering him in the hallway and seeing that St John, normally a stern and reserved man, appeared to be happy, Clarendon asked him why. St John replied that the Short Parliament would never have done what was necessary. Things, he said, would have to get worse before they would get better. Indeed, he was not averse to accelerating the downward spiral. It was St John and Pym who were said to have composed the petition of the twelve peers, signed on 28 August—the same day as the victory of the Scottish army over the English at Newburn—calling for a new parliament. When military defeat and a lack of money forced the king to grant the petitioners their wish, St John was once again returned to Westminster as member for Totnes and resumed his place in the van of opposition to the personal rule of Charles I.

The early years of the Long Parliament, 1640-1642

In the Long Parliament St John was at the core of a group of men, including Pym, Hampden, Bedford, and Sir Henry Vane the younger, who were, according to Clarendon, hostile to many of the crown's policies and of a 'most intimate and entire trust'. In the early deliberations St John repeated his arguments that ship money was central to the case against Charles, and also objected to the idea that canons in religion could be imposed without parliamentary approval. In December 1640 he introduced articles of impeachment against Sir John Finch. Outraged at Finch's behaviour during the ship money case, St John believed that Finch had deliberately sabotaged the judges' decision. Even after Finch fled to the Netherlands to avoid proceedings, St John continued to inveigh against him and ship money itself; in St John's mind the two were inextricably linked. Not only had the judges been deceived by Finch, according to St John, but, if ship money were allowed to stand, 'our birthright, our ancestral right, our condition of continuing as free subjects is lost; that of late there has been an endeavour to reduce us to the state of villeinage, nay, to a lower' (St John, Speech, 2).

At the height of St John's fury against Finch and ship money Charles appointed him king's solicitor, on 29 January 1641. According to Clarendon, the enterprise was the work of the earl of Bedford, who hoped to solve the problem of evil counsellors by persuading Charles to appoint those who inspired parliament's trust in return for a favourable financial settlement. The 'bridge appointments' scheme collapsed, however, over the treason trial of Thomas Wentworth, now earl of Strafford. Strafford was one of Charles's most trusted advisers and to many members stood as a symbol of royal tyranny. As the trial unfolded, however, Strafford defended himself skilfully, capturing considerable support. With Strafford gaining ground daily, the Commons began to consider abandoning the impeachment trial and resorting to a bill of attainder by which Strafford could be convicted of treason by a vote of parliament. In defiance of Pym, who preferred a continuation of the trial, St John took up the case for attainder. On 21 April, by a vote of 204 to 59, the Commons approved the attainder.

It remained to justify the attainder to the Lords, a task that St John undertook on 29 April. In a famous speech he argued that attainder was the proper procedure for determining treason if doubts at law arose. If Strafford's actions were not treason, he contended, 'England's but a piece of earth wherein so many men have their commorancy and abode, without ranks or distinction among men, without property or anything further than possessions, no law to punish the murdering or robbing of one another'. St John concluded in almost scattergun fashion, by offering several other justifications, suggesting, among other things, that 'it was never accounted cruelty or foul play to knock foxes and wolves on the head as they can be found; because these be beasts of prey'. In conclusion he remarked that in matters of treason parliament was:

both the physician and the patient. If the body be distempered, it hath the power to open a vein, to let out the corrupt blood for curing itself; if one member be poisoned or gangr[en]ed, it hath the power to cut it off for the preservation of the rest. (St John, Argument, 72)

The concept of parliament as physician and patient was the logical extension of St John's ship money doctrines. At various times between 1640 and 1642 he conferred on parliament the right to challenge the king's power of dissolution, the right to overturn decisions already rendered by the courts, the right to determine the nation's religious settlement, and the right to remove members of which it did not approve. His ideas emerged not from detached, theoretical reflection about the distribution of authority, but from specific objections to the exercise of that authority.

St John appeared to be most troubled by a king who, through the appointment of obsequious judges and by dismissing or intimidating independent judges, seemed determined to secure a judiciary amenable to his will. Moreover, by 1641 Charles I had displayed little inclination to consider, still less take, the advice of his representative body. With the evidence provided by the ship money case and during Strafford's trial, St John seemed to have decided that an alteration of government was not only in progress, it had already occurred, and that the courts were powerless to prevent it.

The position of St John as a parliamentary leader improved still further in the aftermath of Strafford's trial. Sir Symonds D'Ewes reported that his speech on the attainder gave 'satisfaction to all'. On 11 May 1641 the Commons had St John's speech, along with two of Pym's on the same subject, printed as part of a campaign to justify their actions.

The first evidence of St John's increased prominence can be glimpsed in his attempt to help reform the king's finances in May 1641. Until this point he had shown little interest in financial matters and had in earlier deliberations helped obstruct one of Pym's tonnage and poundage bills. Nevertheless, in late May he came forward with his own proposal for settling the king's finances. In March parliament had approved a two-month grant of tonnage and poundage, which expired in May. St John's proposal involved another two-month grant, but one which would turn the money over to the king directly. It also involved demanding a closer accounting from the customs

farmers, whom many members regarded as delinquent. However, the proposal roused an outcry. Strode and Holles objected to it on grounds that the money should be controlled by commissioners appointed by parliament. Six days later the Commons gave a first reading to a bill that would debar members of the house from serving the king until they first obtained the consent of both houses of parliament, seemingly a direct attack on St John himself, who remained the king's solicitor.

St John also had another bombshell to drop. On 27 May Sir Edward Dering introduced a bill, drafted by St John, for the complete abolition of episcopacy. St John had in the past displayed some hostility toward the bishops, but he refrained from a larger attack on them, perhaps in deference to his friend and patron, Bedford, a decided moderate in religious matters. Bedford's death on 10 May, however, may have freed St John from this constraint. In the debates that followed he made no attempt to conceal his hostility toward the bishops. They, he stated, had usurped power that properly belonged to the civil magistrate (in England the crown) since the time of Augustine of Canterbury.

For the remainder of the summer of 1641 St John behaved more circumspectly, saying little and avoiding controversy. The rising in Ireland in late October 1641 drastically altered the situation. Fearing a Catholic invasion of England from Ireland, Pym urged members of parliament to accept a document called the grand remonstrance, which contained a list of all of Charles's errors and was drawn up by a committee of which St John had been a member. St John by contrast brought up a bill for a book of rates to cover the new Tonnage and Poundage Bill which expired on 1 December. In his proposal to help Charles financially at a time when members were suspicious of the king's motivations and loyalties, St John repeated a pattern of behaviour he had followed in May. After proposing a measure advantageous to Charles, he had another member introduce a bill which he had written, and which would be opposed by the king. On 7 December 1641 Sir Arthur Hesilrige introduced a bill written by St John, empowering a lord general to raise and command the militia, to levy money to pay it, and to execute martial law. The bill also specified an admiral's place, but blanks were left in the spaces provided for the admiral and lord general. The bill would in effect give parliament the right to choose the army's and navy's commander. Several members opposed it on the grounds that assembling the militia was the king's prerogative. St John undertook a vigorous defence, declaring that power ought to be entrusted to someone in the event of an invasion, and that parliament had every right to nominate persons of trust. These men, he continued, might well be the king's own men, and he hoped that they would be so.

St John's actions on the Militia Bill reflect his attempt to play a dual role in the autumn of 1641. As the king's solicitor, he had an obligation to promote the king's interests, which he tried on several occasions to do. On the other hand, Charles's government ran against the grain of St John's core political and legal beliefs. While his advocacy of the Militia Bill appears moderate, there was little chance that parliament was going to approve of the king's men unless they were also parliament's men. St John appears to have been trying to play both sides of the street.

St John evidently succeeded for the most part at his double game. In January 1642 when Charles decided to arrest those members of parliament he considered most odious, St John was not among them, yet he remained in parliament's inner councils. About the same time he proposed a lifetime grant of tonnage and poundage be given to the king, while dropping hints to D'Ewes that he had been compelled to do so by the king, and during the early months of the year he also seems to have become much more cautious in other aspects of his behaviour. He said little in the debates over the arrest of the five members and the Militia Bill, and even went so far as to plant the idea that, as king's solicitor, he could be absolved from action by parliament if he had acted on royal command. In June 1642, in another example of timidity, St John asked parliament if he should obey the king's order to join him in York. The Commons refused him leave, but posing the question to parliament seems yet another tactic by St John to give himself legal cover. If the rebellion failed and he was asked why he remained with parliament, he could reply that he had been ordered to stay.

The first civil war, 1642–1646

After the outbreak of civil war St John's career took another dramatic turn. He came gradually to be regarded as a member of the Independents, and he took a leading role in negotiating the solemn league and covenant with the Scots, and in persuading parliament to accept the agreement as a means of tipping the military balance of power in its favour. Moreover, with Pym seriously ill in the autumn of 1643, he, along with Sir Henry Vane the younger, assumed Pym's role as parliamentary leader.

At the time of his speech defending the solemn league and covenant St John also advocated aggressive pursuance of the war, suggesting he had begun to part company with the earl of Essex, parliament's chief military commander. For the next two years he devoted considerable time and effort to finding ways to replace Essex with more aggressive commanders, and tensions erupted between him and other members, such as Essex and Denzil Holles, who feared that a divisive victory over the king threatened the social stability of the realm. In his campaigns against Essex, St John resorted to his usual subterfuges, such as having his close associate Samuel Browne suggest that Essex should be impeached for treason. Essex countered that St John and Vane should be impeached instead, indicating that he knew that his real enemies were St John and Vane, not Browne. St John sought to undermine the peace party yet further by exploiting the revelations of the royalist defector Lord Savile concerning the surreptitious contacts with the court at Oxford established by Holles and Bulstrode Whitelocke in the run-up to the treaty of Uxbridge.

To break the deadlock over the conduct of the war St John supported several measures which appeared to be instruments intended to purge the parliamentary army of aristocratic commanders, to retain Scottish support without committing parliament to a presbyterian settlement in religion, and to install a more effective fighting force. Toward these ends, he promoted the self-denying ordinance, the ordinance's eventual exemption for Oliver Cromwell, the creation of the New Model Army, and the treason trial of Archbishop Laud.

The proceedings against Laud were unusual. Because of his role in negotiating the solemn league and covenant, St John was regarded by the Scots and by most observers as one of the Scots' strongest friends. But his delaying taking the covenant himself, his support for Cromwell, and his share in the passage of the toleration order of 13 September 1644 were more than enough to arouse the Scots' suspicions. St John may have used the trial of Laud as a tool to keep the Scots in line. Laud had been arrested in early 1641 along with Strafford, but after the Strafford fiasco, parliament delayed the proceedings against him for several years while Laud languished in the Tower. St John was instrumental in reviving them in 1643, and Laud was brought to trial, convicted of treason, and executed on 10 June 1645. Several contemporaries thought Laud had been condemned to death for the Scots' benefit: 'The rebels have murdered the most reverend father in God, William Laud ... Mr. St. John, Mr. Strode, Harbottle Grimston, and a few others undertake to dispatch him' (Palmer, 88). St John's true colours regarding the Scots emerged when the parliamentary army at last defeated the king, when he dumped them as ignominiously as he had dumped Essex.

Relations with the army, 1646–1648

But the army's victories came at a political cost. St John's long-time opponent Denzil Holles exploited fears of the army's radicalism to take control of parliament and to attempt to disband the army. St John appears to have done little to stop Holles and absented himself from the Commons when the crucial debates were in progress. This idleness earned him the ire of John Lilburne and other supporters of the army, who accused St John, Vane, Saye, and Wharton of standing in the way of liberty by refusing to oppose those who wished to bring down the army.

If, by absenting himself from the political stage, St John had shrewdly perceived Holles's ascendancy, he just as shrewdly perceived his fall. On 4 August 1647 St John subscribed to the Engagement, which pledged him to live and die with the army, as the army took control of parliament. Several observers remarked upon a council of 'Grandees', including St John, who now steered the affairs of the whole kingdom. He wanted to make Charles a limited monarch, and he served as a member of the committee which drafted the four bills, a moderate settlement presented to Charles.

Dreams of settlement vanished quickly in January 1648 with the news that Charles had escaped from parliamentary custody and that the Scots were raising an army to support him. But Cromwell's victory over them meant that new deliberations about a settlement had to begin. At this point St John possibly began to diverge from Cromwell, as part of a group led by Saye, which feared that the country was being forced to choose between a royal or military tyranny. The family ties between the two men might also have been temporarily weakened by the death of St John's wife, Elizabeth Cromwell; on 1 October 1645 St John had married as his third wife Elizabeth (d. 1680), widow of Caleb Cockcroft of London, and eldest daughter of Daniel Oxenbridge of Daventry, Northamptonshire, and London.

The Commonwealth

St John's elevation to the bench in October 1648 as lord chief justice of the common pleas removed him from direct involvement in the revolutionary events which engulfed England after the second civil war. As one of the 'royal Independents' he undoubtedly abhorred the violence done to parliamentary privilege at Pride's Purge. Named as one of the king's judges in the abortive ordinance for the trial of Charles I which passed the Commons on 1 January 1649, he was not nominated in the act establishing the high court of justice a few days later on the 6th. However, he was nominated to the first council of state, set up in February, and retained this seat at the helm of Commonwealth affairs right down to 1653. Although he was not distinguished by his activity at the council board, it is mistaken to assume that he withdrew entirely from government and politics after the execution of Charles I. Although there is no evidence that he resumed his seat in the Commons before July 1651 (when an order barring judges from sitting as MPs was lifted), he certainly served on the committee which tried to persuade Fairfax not to resign his commission in June 1650.

In spring 1651 St John headed the extraordinary embassy sent by the Rump Parliament to the states general of the United Provinces at The Hague. The purpose of the mission was to seek 'a more strict and intimate alliance and union' in pursuit of mutual security, the protection of protestantism in Europe, and 'the just liberties, and freedoms of the people' (Pincus, 26). The real issue appears to have been a strong desire to seek the discontinuance of Dutch support for the Stuart cause, and the shipments of arms to Scotland from the United Provinces. St John and his fellow ambassador Walter Strickland were received warmly at The Hague. But the majority of their Dutch hosts, wedded to the interests of the house of Orange, could not stomach the kind of union they proposed, while the exiled supporters of the Stuarts domiciled in the Dutch capital made the lives of their retinue daily less comfortable. An attempt was even made on the life of St John himself. Diplomatically, the sticking point came with the English demand for the expulsion of the Stuart royal family and their supporters. Ideologically, the refusal of a clear majority of Dutchmen to countenance this demand was all the evidence some men needed to conclude that they were apostate.

It has been claimed that St John was powerfully motivated by a desire for protestant unity in defence of popular liberty, and that he set about personally to punish the Dutch when rebuffed. A tradition would have it that he took a leading role in the passage of a Navigation Act which was aimed directly at the Dutch monopoly in the carrying trade. However, it should be noted that he originally declined to lead the diplomatic mission to The Hague, whether through fear for his life or loss of profit from his judicial office, and that only a majority vote in the house was sufficient to change his mind. Moreover, when the two nations eventually came to blows in September 1652, St John was offered the chair of the council of state, the body responsible for organizing the war effort, but once again declined to become involved. In the interim he also played an extremely important role in the evolution of Anglo-Scottish relations. In the wake of the military conquest in the north he set out as one of the commissioners for the government of Scotland on 18 December 1651. He and his fellow commissioners arrived on 15 January 1652. He stayed until the spring, overseeing the establishment of courts of justice, and promulgating the Rump's declaration of an intention to open negotiations for the 'incorporation' of Scotland into the Commonwealth of England and Ireland. When these talks began in the autumn, St John was a prominent participant.

After the execution of Charles I, St John had continued to maintain close links with Cromwell, to whom he wrote frequently. It is not clear whether the lord general reciprocated, but it is highly likely that he did, valuing St John's support for some of his more daring attempts to placate moderate opinion in the wake of regicide. After the battle of Worcester on 3 September 1651, St John was in the delegation sent by parliament to meet Cromwell at Aylesbury. Whitelocke noted that the commissioners had 'much discourse' with the lord general over dinner, 'my Lord Chief Justice St John more than all the rest' (Underdown, 290). He and Cromwell were instrumental in finally persuading the Rump to set a date for its dissolution the following autumn. At the same time St John promoted the late return to parliament of several former middle-group associates, leading to the resumption of their seats in the house by men such as Thomas Westrow, John Stephens, and Saye's son-in-law Richard Norton. His influence has also been detected behind initiatives such as the Act of Oblivion, the Hale commission on legal reform, and Owen's proposals for church settlement. 'Cromwell and St John were out to reunite the "godly party" on lines similar to those proposed by the middle group before 1648, and in a way that strikingly anticipates much of the Protectorate' (ibid., 291).

In December 1651 it was St John who remarked that 'something of the monarchical power' was necessary to preserve 'the foundation of our laws and the liberties of the people', which Cromwell followed up by pointing out that a Stuart settlement was politically impossible. The closeness of their thinking on this crucial matter lends credibility to the later claim that St John was the *éminence grise* lurking behind Cromwell's throne. It may also account for his vehement dislike of the 'Instrument of government', fully evident when he angrily demanded of his former client and long-time associate secretary John Thurloe in February 1654, 'is this all the fruit the nation shall have of their war?', throwing the document aside in disgust (Aubrey, 40). The Humble Petition and Advice may have been more to his liking, and he was called to, but did not sit in, the other house, excusing his absence 'by reason of the busines of the Terme' (GEC, Peerage, 4.635n.). St John probably found it harder to swallow the protector's reluctance to adopt the full panoply of regality, but at Thetford assizes in the spring of 1658 he gave a firmly loyalist charge which took as its theme the large benefits enjoyed by Englishmen living under the law. There seems little doubting the depth of St John's commitment to 'old Oliver', nor indeed to his family. In March 1660 St John reportedly favoured restoring the protectorate of Richard Cromwell, an allegation which he fervently denied in the apologia for his actions during the civil war and interregnum which he published after the Restoration. Although it was on St John's own motion that the Long Parliament finally agreed to dissolve itself on 16 March 1660, it was reported a fortnight later that he was still all for Richard, and he withdrew from the council of state on 30 March, denouncing Monck as a rigid cavalier.

Last years

On 14 May 1660 a bill of attainder was introduced against St John in the convention, but he escaped with nothing more serious than disablement from office for life. Advisedly he kept a very low profile during the Restoration. During the 1650s he had commissioned the construction of a country house at Longthorpe near Peterborough. Thorpe Hall became an exemplar of the country 'tower house', a style of building which almost became the norm for houses of the gentry built at the Restoration. The former lord chief justice retired there to compose his apologia, *The Case of Oliver St John*. A story is told that Clarendon sent for him to ask his advice in the matter of a building commission he had in mind. But St John had the presence of mind to reply that he 'had not the vanity to think his house, of five or six rooms on a floor, a fit pattern for his lordship' (Mowl and Earnshaw, 117). In 1662 he took ship for exile in Europe, and initially resided in Basel in Switzerland. Later he moved to Augsburg in Germany. He died on 31 December 1673. He was survived by his third wife, Elizabeth, who later married Sir Humphrey Sydenham of Chilworthy, Somerset, and died in 1680. From his first marriage he had four children: Francis (c.1634–1705), his heir, who first served in parliament as member for Tewkesbury in 1654 and was elected for the final time in 1698 as member for Peterborough; William (b. 1637); Johanna; and Catherine. A further two children, Oliver and Elizabeth, were born to his second wife.

Reputation

In his personal manner St John was described by Clarendon as 'a man reserved, and of a dark and clouded countenance, very proud, and conversing with very few, and those,

men of his own humor and inclination'. Yet elsewhere Clarendon says that St John was 'beloved' by parliament (Clarendon, Hist. rebellion, 1.246, 3.470). While St John was not primarily a writer, he did leave several speeches, including some on ship money, another on the attainder of the earl of Strafford, and numerous shorter speeches, as well as a brief personal memoir.

The career of Oliver St John represents the dilemma of the constitutional opponent of Charles I's policies and ministers. In most cases he sought a political system that could restrain the king's policies without threatening the social fabric of society. The ship money case provided him not only with a case he would plead many times, but also with a political philosophy about the distribution of power. There can be little doubt that St John considered Charles's attempt to intimidate the judiciary and impose a new rate without parliamentary consent to be the most serious problem facing the nation in 1640. He was also a political realist, willing to sacrifice principles and dissemble in quest of political advantage. His arguments in Strafford's trial ran counter to his respect for the precise language of the law, and many of his associates who thought he was on their side found, to their sorrow, that he was not.

St John's religious views were cloudy. He was capable of speaking the language of the doctrinaire puritan and was, according to several sources, the author of the root and branch bill, as well as a supporter of religious toleration. But in his recorded comments on religion, he never approached the fervour of the true saint. There can be little doubt that the experience of alliance with the Scots brought out the Erastian strain in his thinking, repulsed as he was by the claims to de jure authority advanced by Scots presbyterians and their fellow travellers in the City of London. He sat on the Westminster assembly and was appointed to the parliamentary committees set up to decide what offences should be punished by sacramental exclusion. He has, in the past, been described as an Independent, but although he joined Isaac Pennington, Sir Gilbert Pickering, and others in commending Roger Williams to John Winthrop and his associates in Massachusetts in 1644, he and his cousin Samuel Browne later installed Archbishop William Ussher, advocate of a more 'primitive' episcopacy, as preacher at Lincoln's Inn in 1647. There seems no reason to dissent from the view that St John was a man of 'orthodox Calvinist-inclined views which were as compatible with low-church Anglicanism as with classical Independency or Presbyterianism' who shifted his support among the denominations as circumstances required (Pearl, 'St John', 500-01).

St John was by no means a doctrinaire radical, and he tried repeatedly to reach compromises between Charles and parliament. In the months before the civil war he supported a compromise Root and Branch Bill, a compromise Militia Bill, and several grants of tonnage and poundage. As late as 1648 he was still working to reach a compromise by which Charles could retain his throne.

St John eventually came to fear the power of the army and the radicalism of the masses as much as he feared royal tyranny. As several of the participants in the civil war, such as Clarendon and Holles, came to reflect on the events of the 1640s, St John was perhaps unfairly vilified in their accounts, but he was the only one of the core leaders in 1640 who survived the course of the war. Despite this vilification by contemporaries, he was a moderate conservative, committed to traditional forms of political sociability, to parliament, to the law, and to the monarchy.

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Likenesses

P. Nason, oils, 1651, NPG [see illus.]